

DOCKET NO.: CHIR-0157

PATENT

1601C7E18)1645



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2800

JUL 29 2002

RECEIVED

In Re Application of:  
Covacci et al.

Serial No.: 09/360,685

Group Art Unit: 1645

Filing Date: July 26, 1999

Examiner: S. Devi

For: **HELICOBACTER PYLORI CAI ANTIGEN PROTEINS USEFUL FOR  
VACCINES AND DIAGNOSTICS**

DATE OF DEPOSIT: July 22, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL  
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FOR PATENTS, WASHINGTON, DC 20231.

Felicity E. Groth  
TYPED NAME: FELICITY E. GROTH  
REGISTRATION NO.: 47,042

United States Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, Virginia 22202

Sir:

### REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated February 28, 2002.
- ☐ An Amendment Supplemental to the Paper filed \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages \_\_\_\_\_ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ \_\_\_\_\_ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: \_\_\_\_\_  
\_\_\_\_\_ is enclosed.
- ☒ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: \_\_\_\_\_
- ☒ Other Material as follows:    (1) Article: Manetti et al., *Helicobacter pylori* Cytotoxin: Importance of Native Conformation for Induction of Neutralizing Antibodies (Infection and Immunity, 63(11): 4476-4480 (1995).  
(2) Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825, with first class mail certificate; paper copy of substitute pages of the Sequence Listing (pages 1-20), and substitute Sequence Listing in computer readable form.

## FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	108	42 (20 MINIMUM)	66	\$9 EACH	\$	\$18 EACH	\$1188.00
INDEP. CLAIMS	18	15 (3 MINIMUM)	3	\$42 EACH	\$	\$84 EACH	\$ 252.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$	\$400	\$ 400.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$1,840.00

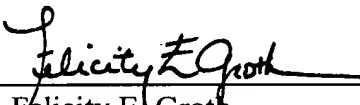
- ☒ A Check is Enclosed in the Foregoing Amount Due.
- ☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of **February 28, 2002** to and through **July 28, 2002** comprising an extension of the shortened statutory period of **two** month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is

further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: July 22, 2002

  
\_\_\_\_\_  
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